

15.04.2024
Sl. No.27(DL)
srm

C.O. No. 1126 of 2024

Sri Sunil Kumar Saha & Ors.

Versus

Sri Arindam Roy & Ors.

Mr. Rahul Karmakar,
Ms. Ishita Kundu

...for the Petitioners.

The petitioners pray for expeditious disposal of Misc. Appeal No.01 of 2023, which is pending before the learned Additional District Judge, Fast Track, 5th Court at Barrackpore, North 24-Parganas.

It is submitted that no interlocutory applications are pending and the misc. appeal is at the stage of hearing. It is also submitted that on an earlier occasion this Court had directed the learned court to dispose of the misc. appeal, expeditiously.

Considering the submission, this Court is of the view that the prayer of the petitioners for early disposal of the proceeding, is innocuous. Neither party stands to lose if a proceeding is disposed of expeditiously. In fact, such expeditious disposal shall enure to the benefit of the parties.

Hence, there is no requirement for service of prior notice upon the opposite parties.

Under such circumstances, the revisional application is disposed of, with a direction upon the learned court to dispose of the misc. appeal within three months from the next date fixed, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. Unnecessary adjournments shall not be granted to any of the parties.

This court has not gone into the merits of the misc. appeal.

A copy of the revisional application along with a server copy of this order be served upon the opposite parties within a week.

The revisional application is, thus, disposed of.

There will be, however, no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)